

R E M A R K S

Applicants are grateful for the Examiner's Notice of Allowability of Claims 98-108.

In the Examiner's Statement of Reasons for Allowance, the Examiner states that "the specific allowable feature" of Claims 98, 99, and 108 is "determining a second discount based on whether a first difference between the time of the current transaction and the time of the previous purchase is less than a predetermined minimum transaction period and whether a second difference between the time of the current transaction and the time of the first discount is greater than a predetermined discount adjustment period."

Applicants agree that the Deaton (U.S. Patent No. 5,687,322) and Valencia (U.S. Patent No. 5,380,991) references, either alone or in combination, do not teach or suggest the above subject matter.

Applicants, however, respectfully traverse any implication that the above "specific allowable feature" is necessary for the allowability of Claims 98, 99, and 108. Applicants maintain their position, stated in a Response mailed January 7, 2002, and in a Response submitted June 21, 2001, that there is no motivation to combine Deaton with Valencia. For example, the Examiner's proposed modification of Deaton in light of Valencia would change the principle of operation of the Deaton system with respect to the Deaton system's approach to providing incentives to frequent and infrequent customers. Accordingly, Applicants respectfully submit that the claimed subject matter is sufficient but not necessary for the allowability of Claims 98, 99, and 108 in light of the Deaton and Valencia references.

Conclusion

It is submitted that all of the claims are now in condition for allowance. The Examiner's early re-examination and reconsideration are respectfully requested.

Please charge any fees that may be required for this Amendment to Deposit Account No. 50-0271. Furthermore, should an extension of time be required, please grant any extension of time which may be required to make this Amendment timely, and please charge any fee for such an extension to Deposit Account No. 50-0271.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Michael D. Downs at telephone number (203) 461-7292 or via electronic mail at mdowns@walkerdigital.com.

Respectfully submitted,



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Date